

REMARKS

Claims 1-28 were presented for examination, are pending and are rejected. Reconsideration is respectfully requested.

Claim Objections

The claims are objected to because they include reference characters that are not enclosed within parentheses. The claims have been amended to provide parentheses around all reference characters.

Claims 8 and 27 have been amended to correct the spelling of Germania.

The faulty antecedent basis in claim 13 has been corrected.

Therefore the rejection should be withdrawn.

The 35 U.S.C. § 102 Rejections

Claims 1-3, 5, 7, 14, 15, 21, 22, 24 and 26 are rejected as being anticipated by Richardson et al. The rejection is respectfully traversed.

Claims 1 and 21 of the present invention recite three distinct concentric regions, where each region has a corresponding refractive index. Richardson et al. does not teach such distinct regions. Referring to Figure 2 of the reference, the refractive index of band 24 gradually increases and decreases. Claims 2, 3, 5, 7, 14 and 15 depend from claim 1. Claims 22, 24 and 26 depend from claim 21. Therefore the rejection should be withdrawn.

Claims 1, 8, 21 and 27 are rejected as being anticipated by Shukunami et al. The rejection is respectfully traversed.

Claims 1 and 21 of the present application recite a fiber having a refractive index profile of $(n_2) > (n_1) > (n_3)$. The reference teaches a refractive index profile of $(n_3) > (n_1) > (n_2)$. Claim 8 depends from claim 1. Claim 27 depends from claim 21. Therefore the rejection should be withdrawn.

Claims 1 and 11 are rejected as being anticipated by Inagaki et al. The rejection is respectfully traversed.

There is no teaching within the reference of a fiber design that propagates a flat top mode. The reference teaches a fiber design that prevents concentration quenching. Dopant concentration adjustment is crucial to the teachings of the reference. Any teaching of index variation within the reference is meaningless if taken out of the context of preventing concentration quenching. Claim 11 depends from claim 1. Therefore the rejection should be withdrawn.

The 35 U.S.C. § 103 Rejections

Claims 4, 9, 10, 12, 13, 16-20, 23 and 28 are rejected as being unpatentable over Richardson et al. The rejection is respectfully traversed.

Claims 4, 9, 10, 12, 13, 16-20 depend from claim 1. Claims 23 and 28 depend from claim 21. Claims 1 and 21 should be allowable over the reference as discussed above. Therefore the rejection should be withdrawn.

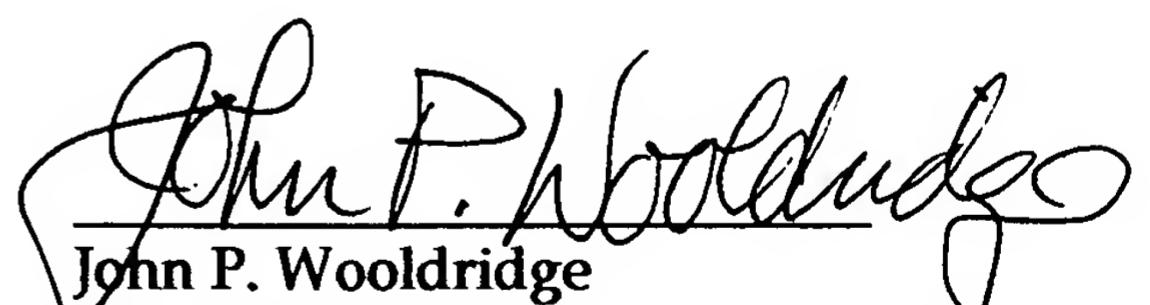
Claims 6 and 25 are rejected as being unpatentable over Richardson et al. as applied to claims 1 or 21 above, and further in view of Po. The rejection is respectfully traversed. Claim 6 depends from claim 1. Claim 25 depends from claim 21. Claims 1 and 21 should be allowable over the reference as discussed above. Therefore the rejection should be withdrawn.

Conclusions

It is submitted that this application is in condition for allowance based on claims 1-28 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-875-0012.

Respectfully submitted,



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